

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

Criminal No. 19-120 (KM)

GORDON J. COBURN and
STEVEN SCHWARTZ

**DECLARATION OF KYLE T. SIEBER IN SUPPORT OF DEFENDANT STEVEN
SCHWARTZ'S OMNIBUS MOTIONS *IN LIMINE***

I, KYLE T. SIEBER, declare under penalty of perjury:

1. I am an attorney at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, counsel for defendant Steven Schwartz in this action. I submit this declaration in support of defendant Steven Schwartz's omnibus motions *in limine*.

Exhibits

2. Attached hereto as Exhibit 1 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS_R17_0004363.

3. Attached hereto as Exhibit 2 is a true and correct copy of a document produced by Dr. Bruce Robinson bearing Bates number ROBINSON-00000042, which is listed as GX-87 on the Government's preliminary exhibit list.

4. Attached hereto as Exhibit 3 is a true and correct copy of a document produced by Dr. Kip Dolphin bearing Bates number DOLPHIN-00000011, which is listed as GX-88 on the Government's preliminary exhibit list.

5. Attached hereto as Exhibit 4 is a true and correct copy of a document produced by Dr. Bruce Robinson bearing Bates number ROBINSON-00000040, which is listed as GX-89 on the Government's preliminary exhibit list.

6. Attached hereto as Exhibit 5 is a true and correct copy of a document produced by Dr. Kip Dolphin bearing Bates number DOLPHIN-00000003, which is listed as GX-108 on the Government's preliminary exhibit list.

7. Attached hereto as Exhibit 6 is a true and correct copy of a document produced by Dr. Bruce Robinson bearing Bates number ROBINSON-00000039, which is listed as GX-118 on the Government's preliminary exhibit list.

8. Attached hereto as Exhibit 7 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0011056, which is listed as GX-119 on the Government's preliminary exhibit list.

9. Attached hereto as Exhibit 8 is a true and correct copy of a document produced by Dr. Kip Dolphin bearing Bates number DOLPHIN-00000004, which is listed as GX-120 on the Government's preliminary exhibit list.

10. Attached hereto as Exhibit 9 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0010946, which is listed as GX-121 on the Government's preliminary exhibit list.

11. Attached hereto as Exhibit 10 is a true and correct copy of a document produced by Dr. Kip Dolphin bearing Bates number DOLPHIN-00000009, which is listed as GX-126 on the Government's preliminary exhibit list.

12. Attached hereto as Exhibit 11 is a true and correct copy of a document produced by Dr. Bruce Robinson bearing Bates number ROBINSON-00000037, which is listed as GX-130 on the Government's preliminary exhibit list.

13. Attached hereto as Exhibit 12 is a true and correct copy of a document produced by Dr. Kip Dolphin bearing Bates number DOLPHIN-00000010, which is listed as GX-154 on the Government's preliminary exhibit list.

14. Attached hereto as Exhibit 13 is a true and correct copy of a document produced by Dr. Bruce Robinson bearing Bates number ROBINSON-00000035, which is listed as GX-225 on the Government's preliminary exhibit list.

15. Attached hereto as Exhibit 14 is a true and correct copy of a document produced by Dr. David Becker bearing Bates number BECKER-00000001, which is listed as GX-227 on the Government's preliminary exhibit list.

16. Attached hereto as Exhibit 15 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-NBC-00000001, which is listed as GX-113 on the Government's preliminary exhibit list.

17. Attached hereto as Exhibit 16 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0010832, which is listed as GX-116 on the Government's preliminary exhibit list.

18. Attached hereto as Exhibit 17 is a true and correct copy of a document produced by StubHub bearing Bates number STUBHUB-000000006, which is listed as GX-228 on the Government's preliminary exhibit list.

19. Attached hereto as Exhibit 18 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-EH-0000000145.

20. Attached hereto as Exhibit 19 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-EH-0000000203.

21. Attached hereto as Exhibit 20 is a true and correct excerpt of a letter dated June 15, 2022, from Nicholas Grippo and Gerald Moody, Jr. to defense counsel for Steven Schwartz.

22. Attached hereto as Exhibit 21 is a true and correct excerpt of the transcript of a hearing in this case held on April 18, 2023, which is also included on the docket for this case at ECF No. 473.

23. Attached hereto as Exhibit 22 is a true and correct excerpt of the transcript of a hearing in this case held on April 19, 2023, which is also included on the docket for this case at ECF No. 476.

24. Attached hereto as Exhibit 23 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS_R17_0004324.

25. Attached hereto as Exhibit 24 is a true and correct copy of a document produced by L&T bearing Bates number LT00005782.

26. Attached hereto as Exhibit 25 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-LT-LTR-00000021.

27. Attached hereto as Exhibit 26 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-LT-LTR-00000023.

28. Attached hereto as Exhibit 27 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-LT-LTR-00000055.

29. Attached hereto as Exhibit 28 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-LT-LTR-00000030.

30. Attached hereto as Exhibit 29 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-302-00000144.

31. Attached hereto as Exhibit 30 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-302-00000152.

32. Attached hereto as Exhibit 31 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-302-00000192.

33. Attached hereto as Exhibit 32 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-LT-LTR-00000039.

34. Attached hereto as Exhibit 33 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-LT-LTR-00000042.

35. Attached hereto as Exhibit 34 is a true and correct copy of an Economic Times article by Rachita Prasad & Jochelle Mendonca, titled “L&T ‘Unfairly Doubted’ for Alleged Role in Cognizant Bribery Case: Subrahmanyam,” dated March 28, 2019.

36. Attached hereto as Exhibit 35 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-EH-0000000095.

37. Attached hereto as Exhibit 36 is a true and correct copy of a document produced by the Government bearing Bates number DOJ-EH-0000000142.

38. Attached hereto as Exhibit 37 is a true and correct copy of a Department of Justice Press Release dated February 15, 2019, titled “Former President and Former Chief Legal Officer of Publicly Traded Fortune 200 Technology Services Company Indicted in Connection with Alleged Multi-Million Dollar Foreign Bribery Scheme.”

39. Attached hereto as Exhibit 38 is a true and correct copy of a Securities and Exchange Commission Press Release dated February 15, 2019, titled “Securities and Exchange Commission, SEC Charges Cognizant and Two Former Executives with FCPA Violations.”

40. Attached hereto as Exhibit 39 is a true and correct copy of a letter dated February 18, 2019 from N. Hariharan to the National Stock Exchange of India.

41. Attached hereto as Exhibit 40 is a true and correct copy of a letter dated February 28, 2019 from N. Hariharan to the National Stock Exchange of India.

42. Attached hereto as Exhibit 41 is a true and correct copy of a Business Standard article by T. E. Narasimhan, titled “L&T to Seek External Help on Cognizant Bribery Case,” dated March 2, 2019.

43. Attached hereto as Exhibit 42 is a true and correct copy of a letter dated October 24, 2019 from N. Hariharan to the National Stock Exchange of India.

44. Attached hereto as Exhibit 43 is a true and correct excerpt of a letter dated December 15, 2020 from Nicholas Lewin to Nicholas Grippo, David Last, and Sonali Patel.

45. Attached hereto as Exhibit 44 is a true and correct excerpt of the transcript of a hearing in this case held on January 6, 2021, which is also included on the docket for this case at ECF No. 137.

46. Attached hereto as Exhibit 45 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0000119, which is listed as GX-105 on the Government’s preliminary exhibit list.

47. Attached hereto as Exhibit 46 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0000122, which is listed as GX-111 on the Government’s preliminary exhibit list.

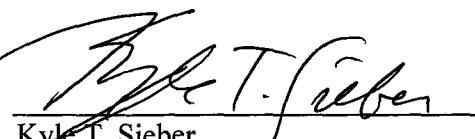
48. Attached hereto as Exhibit 47 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0103589.

49. Attached hereto as Exhibit 48 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0101575.

50. Attached hereto as Exhibit 49 is a true and correct copy of a document produced by Cognizant bearing Bates number CTS-0101576.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
August 3, 2023



Kyle T. Sieber
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